

**MINUTES  
CITY OF CANANDAIGUA  
PLANNING COMMISSION  
April 9, 2019**

PRESENT:     Chairman Torsten Rhode                      Commissioner Adrienne Kantz  
                 Vice Chairman Stanley Taylor                Commissioner Lindsay Pennise  
                 Commissioner Jeff Ayers                        Commissioner Guy Turchetti

ABSENT:       Commissioner Anne Beyer

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

**CALL TO ORDER**

Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

**APPROVAL OF MINUTES:**

Chairman Rhode asked if anyone had any additions or corrections to the March 12, 2019 Meeting Minutes. Commissioner Taylor moved to approve the minutes as corrected. Commissioner Kantz seconded the motion, which carried by unanimous voice vote (6-0).

**REVIEW OF APPLICATIONS**

**ITEM 1**        **(Public Hearing) Application #19-062: 170 South Main Street, PATRICK GLEASON, Special Use Permit and Historic Alteration to add rooftop dining to the existing restaurant.**

Patrick Gleason represented the application. With him was the project architect, Andrew Hintenach from Sky High Architecture. Mr. Gleason said that he has a purchase offer in on the Pickering Pub. His proposal is to gut the interior and add a new bar, new kitchen, new bathrooms, and to construct a deck on the roof of the building to provide seating for 35 patrons. This would be accessed by a new staircase from the interior of the building.

Mr. Gleason also said he would like to clean up the upper portion of the Main Street façade by facing the eroded block with a stone veneer. He displayed material samples.

Chairman Rhode opened the public hearing. There were no speakers. Chairman Rhode closed the public hearing.

Mr. Brown asked the applicant to describe the changes to the façade. Mr. Hintenach said he the existing stone was pretty rough. They propose facing the eroded block with a stone veneer. He displayed material samples.

Chairman Rhode if they planned to raise the height of the parapet wall. Mr. Hintenach said they were not completely sure of the finished elevation of the deck, but that they would need a 42 inch parapet to meet the code requirement for a “guard rail”. He suspects that the parapet will need to be raised approximately 10 inches. Perpendicular to this parapet there will be a black, metal guard rail. This will be barely visible from the street.

Mr. Brown asked if the stair tower would be visible from the street. Mr. Hintenach said it would not be visible from Main Street, but might be seen from the back.

Commissioner Taylor asked why the seating could not be done on the sidewalk in front of the building. He said that would be more inviting to pedestrians. He does not support the rooftop dining; it’s not welcoming.

Mr. Gleason said the building is very narrow, leaving them only room for one or two tables in front of the building. He thinks rooftop dining will be a unique attraction.

Commissioner Taylor said that the Comprehensive Plan recommends rehab of the upper floors for quality apartments. He believes this will negatively impact the possibility of adjacent apartments.

Commissioner Taylor also said he thought the vestiges of the second floor windows were an important remnant of the historical building. He does not support covering these with a veneer.

Chairman Rhode said that, while he agrees with many of Commissioner Taylor’s statements, he likes the concept of rooftop dining. It is unique and very different from a sidewalk café.

Commissioner Ayers said that he also supports the rooftop dining concept. He thinks it will be an attraction downtown.

Chairman Rhode requested more detail on the lighting on the rooftop deck. Mr. Gleason said he thought maybe strings of lights from poles or a trellis. Chairman Rhode requested that the applicant return with those details.

Chairman Rhode asked about music. Mr. Gleason said there would be speakers playing subtle background music, but no bands. It would all be well within the noise ordinance.

Commissioner Ayers asked about the hours of operation for the deck. Mr. Gleason said he hoped the deck would be open the entire time the restaurant is open; “full bar hours”

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Kantz moved that the Planning Commission Approve the application as submitted and presented, with the following condition:

1. The applicant shall return to the Planning Commission for approval of the details of the lighting of the rooftop dining area before a Certificate of Occupancy is issued.

Commissioner Pennise seconded the motion, which carried with a vote of 5-1.

Commissioner Ayers	Voting	YES
Commissioner Beyer	Absent	
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	NO
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 2**      **Application #19-071: 51 Niagara Street, ROBERT JOHNSTON, Architectural Review to remove a second story addition and replace with a second story deck**

Robert Johnston, the property owner, represented the application. He said the apartment is being renovated. The room in question is severely deteriorated, so instead of repairing it, he proposes to remove it entirely and construct an open deck instead. There would be no exterior access to the deck. He also proposes to side this rear portion of the building with vinyl siding. He said he has used Hardiboard in the past, but was not happy with the durability. The color would match the existing.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Taylor moved that the Planning Commission Approve the application as submitted and presented, with the following condition:

1. The siding shall be either vinyl or Hardiboard.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Absent	
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 3**      **Application #19-074: 171 North Main Street, JASON LONG, Historic Alteration to install an above-ground swimming pool.**

Jason Long, the homeowner, represented the application. He said he'd like to install a 9' x 18' above-ground pool. There is no foundation or anything permanent. He said he'd like to take it down in the winter.

The board confirmed that the pool would be in compliance with building code and all safety requirements.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Turchetti moved that the Planning Commission Approve the application as submitted and presented. Commissioner Kantz seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Absent	
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 4**      **Application #19-076: 155 South Main Street, CINDERELLA GLASS, Historic Alteration to install a 24 SF Wall Sign on the front of the building, 20 SF Wall Sign on the back of the building, and display a 6 SF portable sign.**

Ronald Schreiber, the business owner represented the application.

Chairman Rhode confirmed that the material would be a composite with painted letters. The A-frame sign is wooden.

The sign would fit on the Main Street signboard, within about one inch of the edges.

Mr. Brown asked that the application be modified to include all the existing window signage.

Commissioner Pennise questioned if the sign on the rear of the building was too small.

Commissioner Kantz said she thought it looked appropriately sized and properly centered under the three lights.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Taylor moved that the Planning Commission Approve the application as submitted and presented, with the following condition:

1. Approval includes the existing window signage.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Absent	
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 5**      **Application #19-077: 222 South Main Street, TREASURE TROVE, Historic Alteration to install a 19 SF Wall Sign on the front of the building and display a 6 SF portable sign.**

Jean Lansberry, the business owner represented the application. She clarified that the sign would fill the brick rectangle detail on the façade, but not extend beyond it. The A-frame is metal with inserts.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Pennise moved that the Planning Commission Approve the application as submitted and presented. Commissioner Taylor seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Absent	
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 6**      **Application #19-078: 36 South Main Street, ART SPACE 36 (FLCC), Historic Alteration to install a 3 SF Projecting Sign on the front of the building and display a 6 SF portable sign.**

J.R. Dempsey, from FLCC, represented the application. FLCC will lease the space for arts activities related to the college. The sign colors are black and white. The A-frame will be wood or metal with vinyl letters.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented. Commissioner Pennise seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Absent	
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 7      Application #19-085: 400 South Main Street, FINGER LAKES HEARING CENTER, Architectural Review to install a 12.5 SF wall sign on the existing building.**

Steve Klovstad, the property owner, represented the application. He said the proposed sign was an internally illuminated, cabinet sign.

Commissioner Taylor noted that this property is across from Finger Lake Bone & Joint, where they have a cabinet sign as well.

Commissioner Pennise asked if the sign would be lit all night. Mr. Klovstad said it would not be on all night.

Chairman Rhode recalled that the lighting of the Bone & Joint sign was limited to 11:00. He suggested that the two signs' lighting be coordinated.

Commissioner Taylor moved that the Planning Commission Approve the application as submitted and presented, with the following condition:

1. The sign shall remain lit no later than 11 PM

Commissioner Pennise seconded the motion, which carried with a unanimous vote (6-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Absent	
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**MISCELLANEOUS**

Chairman Rhode reported that the following applications from Bell Atlantic have been withdrawn:

#18-358: Adjacent to 130 North Pearl Street (Canandaigua School District)

#18-359: Adjacent to 134 North Main Street (Wood Library)

Commissioner Ayers asked why this was done. Mr. Brown said that the applicants had not been prepared to respond to the commission's concerns after being tabled for two months. He expects that they will re-apply at a later date.

The commission discussed the sign regulations with regard to three-dimensional objects, such as a large ice cream cone. Mr. Brown said that this type of advertising would fall under the city's definition of a sign and be regulated accordingly.

**SIGN**

*A structure or part thereof, designed to convey information visually, composed of lettered or pictorial matter, or upon which lettered or pictorial matter is intended to be placed, when used or located out of doors, or outside, or on the exterior of any structure*

The commission discussed the work being done at Tom's Mobile. Mr. Brown said the city was working in cooperation with the DEC to clean up the abandoned and contaminated site. After clean up, the plan is to resell the property through an RFP process.

The board discussed the status of other various construction projects in the city.

Commissioner Taylor reported on his attendance to the second and third meeting of the Comprehensive Plan Committee. Minutes from this meeting will be made available. Commissioner Taylor reported on a visit they made to the VA to see the Veteran's Crisis Hotline.

Commissioner Kantz, who was appointed to sit on the town's Comprehensive Plan Committee, reported that they have not met yet.

**ADJOURNMENT:**

Commissioner Kantz moved to adjourn the meeting at 8:40. Commissioner Taylor seconded the motion which carried with a unanimous voice vote (6-0).

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Richard Brown  
Director of Development & Planning

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Stanley Taylor, Vice Chairman  
Planning Commission Chairman